

§§ 63.97–63.98 [Reserved]

§ 63.99 Delegated Federal authorities.

(a) This section lists the specific source categories that have been delegated to the air pollution control agencies in each State under the procedures described in this subpart.

(1)–(4) [Reserved]

(5) California

(i) [Reserved]

(ii) Affected sources must comply with the *California Regulatory Requirements Applicable to the Air Toxics Program*, April 6, 1998 (incorporated by reference as specified in § 63.14) as described below.

(A) The material incorporated in Chapter 1 of the *California Regulatory Requirements Applicable to the Air Toxics Program* California Code of Regulations Title 17, section 93109) pertains to the perchloroethylene dry cleaning source category in the State of California, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, as it applies to area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) California is not delegated the Administrator's authority to implement and enforce those provisions of subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to subpart M.

(ii) California is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections 93109(a)(17), 93109(g)(3)(A)(5), 93109(g)(3)(B)(2)(iii), and 93109(h) of the California Airborne Toxic Control Measure, must also receive approval from the Administrator before using such alternative means of emission limitation for the purpose of complying with section 112.

(B) The material incorporated in Chapter 2 of the *California Regulatory Requirements Applicable to the Air Toxics Program* (San Luis Obispo County Air Pollution Control District Rule 432)

pertains to the perchloroethylene dry cleaning source category in the San Luis Obispo County Air Pollution Control District, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, as it applies to area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) San Luis Obispo County Air Pollution Control District is not delegated the Administrator's authority to implement and enforce those provisions of subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to subpart M.

(ii) San Luis Obispo County Air Pollution Control District is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections B.17, G.3.a.5, G.3.b.2.iii, and I of Rule 432, must also receive approval from the Administrator before using such alternative means of emission limitation for the purpose of complying with section 112.

(C) The material incorporated in Chapter 3 of the *California Regulatory Requirements Applicable to the Air Toxics Program* (South Coast Air Quality Management District Rule 1421) pertains to the perchloroethylene dry cleaning source category in the South Coast Air Quality Management District, and has been approved under the procedures in § 63.93 to be implemented and enforced in place of Subpart M—National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities, as it applies to area sources only, as defined in § 63.320(h).

(I) Authorities not delegated.

(i) South Coast Air Quality Management District is not delegated the Administrator's authority to implement and enforce Rule 1421 in lieu of those provisions of Subpart M which apply to major sources, as defined in § 63.320(g). Dry cleaning facilities which are major sources remain subject to Subpart M.

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(ii) South Coast Air Quality Management District is not delegated the Administrator's authority of § 63.325 to determine equivalency of emissions control technologies. Any source seeking permission to use an alternative means of emission limitation, under sections (c)(17), (d)(3)(A)(v), (d)(4)(B)(ii)(III), and (j) of Rule 1421, must also receive approval from the Administrator before using such alternative means of emis-

sion limitation for the purpose of complying with section 112.

(6)–(27) [Reserved]

(28) Nevada.

(i) The following table lists the specific part 63 standards that have been delegated unchanged to the air pollution control agencies in the State of Nevada. The (X) symbol is used to indicate each category that has been delegated.

DELEGATION STATUS FOR PART 63 STANDARDS—NEVADA

| Subpart | Description | NDEP ¹ | WCDHD ² | CCHD ³ |
|---------|--|-------------------|--------------------|-------------------|
| A | General Provisions | X | X | |
| M | Perchloroethylene Dry Cleaning | X | X | |
| N | Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks | X | X | |
| O | Ethylene Oxide Sterilization Facilities | | X | |
| Q | Industrial Process Cooling Towers | X | | |
| R | Gasoline Distribution Facilities | | X | |
| T | Halogenated Solvent Cleaning | X | X | |
| JJ | Wood Furniture Manufacturing Operations | X | | |
| KK | Printing and Publishing Industry | X | X | |
| OO | Tanks—Level 1 | X | | |
| PP | Containers | X | | |
| QQ | Surface Impoundments | X | | |
| RR | Individual Drain Systems | X | | |
| VV | Oil-Water Separators and Organic-Water Separators | X | | |

¹ Nevada Department of Environmental Protection.

² Washoe County District Health Department.

³ Clark County Health Department.

(ii) [Reserved]

[61 FR 25399, May 21, 1996, as amended at 62 FR 65025, Dec. 10, 1997; 63 FR 26466, May 13, 1998; 63 FR 28909, May 27, 1998]

EFFECTIVE DATE NOTE: 1. At 63 FR 26466, May 13, 1998, § 63.99 was amended by revising paragraph (a)(5)(ii) introductory text and adding paragraph (a)(5)(ii)(C), effective July 13, 1998. For the convenience of the user, the superseded text is set forth as follows:

§ 63.99 Delegated Federal authorities.

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(a) * * *

(5) * * *

(ii) Affected sources must comply with the *California Regulatory Requirements Applicable to the Air Toxics Program*, August 1, 1997 (incorporated by reference as specified in § 63.14) as described below.

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2. At 63 FR 28909, May 27, 1998, § 63.99 was amended by adding and reserving paragraphs (a)(6) through (a)(27), and adding paragraph (a)(28), effective July 27, 1998.

Subpart F—National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry

SOURCE: 59 FR 19454, Apr. 22, 1994, unless otherwise noted.

§ 63.100 Applicability and designation of source.

(a) This subpart provides applicability provisions, definitions, and other general provisions that are applicable to subparts G and H of this part.

(b) Except as provided in paragraphs (b)(4) and (c) of this section, the provisions of subparts F, G, and H of this part apply to chemical manufacturing process units that meet all the criteria specified in paragraphs (b)(1), (b)(2), and (b)(3) of this section:

(1) Manufacture as a primary product one or more of the chemicals listed in paragraphs (b)(1)(i) or (b)(1)(ii) of this section.

(i) One or more of the chemicals listed in table 1 of this subpart; or